

heard him on this occasion with the more pleasure, because he thought he had perceived that his talent, his ingenuity, and his fertility of resource, had proved insufficient to sustain him under the weight of the cause he advocated. Whom, asked Mr. M., are we bound to obey, in giving our votes on the approaching occasion? We, I mean, who are in the minority? If I understand the gentleman, we are bound to obey the will of those whose candidate shall have the highest number of votes. I would be glad to know whether we are bound to do this by a moral obligation, or only by reason of the *philosophy* of the Constitution, to which the gentleman alluded. If by a moral obligation, that obligation addresses itself to every honest mind with the force of a perfect obligation; it must be obeyed, and why then has the Constitution been so silly as to allow us a choice between three candidates, when we are *morally*, and of course *perfectly* bound to elect the candidate who has the largest number of votes in the electoral colleges?

(Here Mr. M. yielded the floor to Mr. McDUFFIE,<sup>5</sup> who wished to explain. He had not said that gentlemen were bound to elect the candidate who had the highest number of votes; on the contrary, he had said distinctly, that a plurality of votes did not make an election.)

Mr. M. resumed. He was then to understand the gentleman, that we are not constitutionally, but only morally bound; or, in other words, that we have no right to disregard the will of the people, as expressed in a plurality of votes by the electoral colleges. But, if so, was not the argument the same?— the conclusion the same? Was not that obligation as binding, as an obligation emanating immediately from the Constitution? Must not every honest man regard it in that light? And must not every man who was not base enough to barter away his birth-right for a mess of pottage — to sell himself for loaves and fishes — feel its binding power? If the obligation was a moral one, it was a perfect one, and, as such, commanded perfect obedience. He must, therefore, most emphatically repeat, that it was extreme folly, if not worse, in the framers of the Constitution, to give to this house the power of selection between three candidates, when, at the same time, the hands of the members are tied up from the exercise of that power by the strongest

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<sup>5</sup>George McDuffie was an ardent supporter of Jackson's candidacy.